

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Sean Washington, #337465,

Plaintiff,

v.

RN Pratt, RN Stokes, C/O, McDaniels,
RN Montgomery, and Sgt. Colcough,

Defendants.

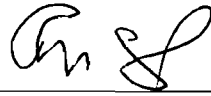
Case No 9:16-cv-3218-RMG

ORDER AND OPINION

Sean Washington ("Plaintiff"), proceeding *pro se*, filed this action alleging that Defendants violated his constitutional rights while he was an inmate with the South Carolina Department of Corrections. This matter is before the Court on the Report and Recommendation ("R. & R.") of the Magistrate Judge (Dkt. No. 28) to grant Defendants' motions to dismiss the action (Dkt. Nos. 19, 20) because the action is barred by the applicable statute of limitations.

The Magistrate mailed the R. & R. to Plaintiff on April 14, 2017. (Dkt. No. 29.) Plaintiff's Objections to the R. & R. were due by April 28, 2017, but under Federal Rule of Civil Procedure 6, Plaintiff had an additional three days (until May 1, 2017) to file his objections to the R. & R. because it was served by mail. As of May 2, 2017, no objections to the R. & R. had been filed. While this Court will conduct a *de novo* review of any portion of the R. & R. to which a specific objection is made, it appears Congress did not intend for the district court to review the factual and legal conclusions of the Magistrate absent objection by any party. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985). This Court's review of the record indicates that the R. & R. accurately analyzes the facts of this case and the applicable law. Accordingly, this Court adopts the Magistrate's R. & R. as the Order of this Court. Defendants' motions to dismiss (Dkt. Nos. 19, 20) are **GRANTED**.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Court Judge

May 3, 2017
Charleston, South Carolina